

REMARKS

This Amendment is submitted in response to the Examiner's Action mailed December 1, 2004, with a shortened statutory period of three months set to expire March 1, 2005. Claims 1-30 are currently pending. With this amendment, claims 1, 4, 10-12, and 25 have been amended, and claims 3, 5, 8, and 24 have been canceled.

The Examiner stated that the specification should be amended to remove a particular phrase. Applicants have amended the specification to remove this phrase.

The Examiner rejected claims 3-4 and 24-25 under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 3 and 24 have been canceled. Claims 4 and 25 have been amended to now depend directly on their respective independent claims. Therefore, this rejection is believed to be overcome.

Applicants have amended claim 1 to describe the management information comprising a pointer to a management rule and a pointer to a sequencing rule. These features were originally described in claims 5 and 8. Therefore, the scope of the pending claims has not changed. No additional search is necessary.

Claims 10-12 have been amended to correct antecedent basis problems and a typographical error.

The Examiner rejected claims 1 and 22 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,960,451 issued to *Voigt*. This rejection is respectfully traversed.

Claim 1 has been amended to describe the management information comprising a pointer to a management rule and a pointer to a sequencing rule.

Voigt does not teach pointers. The Examiner takes Official Notice of pointers in his discussion of the dependent claims and does not refer to any particular art that teaches pointers. Applicants respectfully request that the Examiner provide a particular reference that teaches pointers if the Examiner maintains his rejection of the claims.

The Examiner has not cited any reference that teaches pointers or, more specifically, a pointer to a management rule and a pointer to a sequencing rule as claimed by Applicants.

Applicants' claim 1 describes a data element that includes metadata with the data element. The Examiner states that the data element is analogous to the LUN of *Voigt*. However, *Voigt* does not teach the LUN including metadata. The Examiner states that the metadata can correspond to management type information and information such as type, size, identification numbers, and available capacity. However, *Voigt* does not teach that this information is stored within the LUN itself. In fact, this information appears to be maintained within the RAID management system 56 which is separate from the LUN.

Applicants also claim data management information being stored in the metadata where the data management information is for managing the data element. If the Examiner is correct and an LUN is analogous to Applicants' data element, the LUN must include metadata in which is stored management information for managing the data element. *Voigt* teaches the administrator module 46 provides management functions such as diagnostics and performance review. Column 4, lines 36-40. "The host computer 22 provides an interface from an administrator to configure the memory space in the RAID system and run diagnostics, evaluate performance, and otherwise manage the RAID storage system." Column 4, lines 14-17. Although *Voigt* does discuss management functions, nothing in *Voigt* describes management information that is stored in metadata that is included in the LUN. Further, nothing in *Voigt* teaches storing data management information in the metadata where the data management information is for managing the LUN. *Voigt* does not describe, teach, or suggest storing data management information in the metadata where the data management information is for managing the data element. Therefore, *Voigt* does not anticipate Applicants' claims.

Applicants claim storing, within the data element, one or more anchor points. If the Examiner is correct and an LUN is analogous to Applicants' data element, the LUN must include one or more anchor points within the LUN itself. The Examiner states that *Voigt* teaches one or more anchor points by teaching addresses holding programs for computing available capacity at column 5, line 66, through column 6, line 39. This section of *Voigt* does not teach storing addresses within the LUN. *Voigt* does not describe, teach, or suggest storing, within the data element, one or more anchor points. Therefore, *Voigt* does not anticipate Applicants' claims.

Applicants claim storing data management rules and processing rules in the metadata in the data element. Again, if the Examiner is correct and an LUN is analogous to Applicants' data element, the LUN must include metadata in which is stored data management rules and processing rules. The Examiner states that *Voigt* teaches data management rules and processing rules by teaching parameters/preferences such as physical capacity, number of storage disks, allocated capacity, characteristics of the RAID, percentage to be used at column 2, line 55, through column 3 line 2. *Voigt*, however, does not teach these parameter/preferences being stored in the LUN itself. *Voigt* does not describe, teach, or suggest storing data management rules and processing rules in the metadata in the data element. Therefore, *Voigt* does not anticipate Applicants' claims.

Voigt does not anticipate Applicants' claim 1. *Voigt* does not describe, teach, or suggest the management information comprising a pointer to a management rule and a pointer to a sequencing rule, a data element that includes metadata within the data element, storing data management information in the metadata that is included in the data element, the data management information stored in the metadata being for managing the data element, storing within the data element one or more anchor points, or storing data management rules and processing rules in the metadata that is included in the data element.

Applicants' claim 22 describes a self-defining data element for enhanced data management and recovery, comprising a data portion, and a metadata portion, wherein the metadata includes management information including management rules and processing rules and one or more anchor points to begin selected analysis processes. Thus, claim 22 expressly claims the data element including a metadata portion. Claim 22 also describes the metadata that is included in the data element including management information including management rules and processing rules and one or more anchor points to begin selected analysis processes. Claim 22 has not been amended. For the reasons given above, *Voigt* does not anticipate Applicants' claim 22.

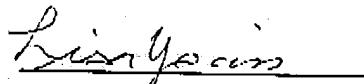
The Examiner rejected claims 2-21 and 23-30 under 35 U.S.C. § 103(a) as being unpatentable over *Voigt*. This rejection is respectfully traversed.

As described above, *Voigt* does not describe, teach, or suggest a data element that includes metadata within the data element, storing data management information in the metadata that is included in the data element, the data management information stored in the metadata being for managing the data element, storing within the data element one or more anchor points, or storing data management rules and processing rules in the metadata that is included in the data element. Therefore, *Voigt* does not describe, teach, or suggest these features in combination with the other features of claims 2-21 or 23-30.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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